



## Senate

General Assembly

February Session, 2004

**File No. 136**

Senate Bill No. 231

*Senate, March 18, 2004*

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

### **AN ACT ESTABLISHING THE NORTHWEST CORNER PROBATE DISTRICT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 45a-2 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 3, 2007*):

3 The probate districts of the state, for all purposes for which they  
4 were constituted, shall be as follows:

5 (a) Hartford County

6 The district of Hartford, consisting of the town of Hartford.

7 The district of Avon, consisting of the town of Avon.

8 The district of Berlin, consisting of the towns of Berlin and New  
9 Britain.

10 The district of Bloomfield, consisting of the town of Bloomfield.

- 11      The district of Bristol, consisting of the town of Bristol.
- 12      The district of Burlington, consisting of the town of Burlington.
- 13      The district of Canton, consisting of the town of Canton.
- 14      The district of East Granby, consisting of the town of East Granby.
- 15      The district of East Hartford, consisting of the town of East  
16      Hartford.
- 17      The district of East Windsor, consisting of the towns of East  
18      Windsor and South Windsor.
- 19      The district of Enfield, consisting of the town of Enfield.
- 20      The district of Farmington, consisting of the town of Farmington.
- 21      The district of Glastonbury, consisting of the town of Glastonbury.
- 22      The district of Granby, consisting of the town of Granby.
- 23      The district of Manchester, consisting of the town of Manchester.
- 24      The district of Marlborough, consisting of the town of Marlborough.
- 25      The district of Newington, consisting of the towns of Newington,  
26      Rocky Hill and Wethersfield.
- 27      The district of Plainville, consisting of the town of Plainville.
- 28      The district of Simsbury, consisting of the town of Simsbury.
- 29      The district of Southington, consisting of the town of Southington.
- 30      The district of Suffield, consisting of the town of Suffield.
- 31      The district of West Hartford, consisting of the town of West  
32      Hartford.
- 33      The district of Windsor, consisting of the town of Windsor.

34     The district of Windsor Locks, consisting of the town of Windsor  
35     Locks.

36     (b) New Haven County

37     The district of New Haven, consisting of the town of New Haven.

38     The district of Bethany, consisting of the town of Bethany.

39     The district of Branford, consisting of the town of Branford.

40     The district of Cheshire, consisting of the towns of Cheshire and  
41     Prospect.

42     The district of Derby, consisting of the towns of Derby, Ansonia and  
43     Seymour.

44     The district of East Haven, consisting of the town of East Haven.

45     The district of Guilford, consisting of the town of Guilford.

46     The district of Hamden, consisting of the town of Hamden.

47     The district of Madison, consisting of the town of Madison.

48     The district of Meriden, consisting of the town of Meriden.

49     The district of Milford, consisting of the town of Milford.

50     The district of Naugatuck, consisting of the towns of Naugatuck and  
51     Beacon Falls.

52     The district of North Branford, consisting of the town of North  
53     Branford.

54     The district of North Haven, consisting of the town of North Haven.

55     The district of Orange, consisting of the town of Orange.

56     The district of Oxford, consisting of the town of Oxford.

- 57      The district of Southbury, consisting of the town of Southbury.
- 58      The district of Wallingford, consisting of the town of Wallingford.
- 59      The district of Waterbury, consisting of the towns of Waterbury,  
60 Middlebury and Wolcott.
- 61      The district of West Haven, consisting of the town of West Haven.
- 62      The district of Woodbridge, consisting of the town of Woodbridge.
- 63      (c) New London County
- 64      The district of New London, consisting of the towns of New London  
65 and Waterford.
- 66      The district of Norwich, consisting of the towns of Norwich,  
67 Franklin, Lisbon, Preston, Sprague and Voluntown.
- 68      The district of Bozrah, consisting of the town of Bozrah.
- 69      The district of Colchester, consisting of the towns of Colchester and  
70 Lebanon.
- 71      The district of East Lyme, consisting of the town of East Lyme.
- 72      The district of Griswold, consisting of the town of Griswold.
- 73      The district of Groton, consisting of the town of Groton.
- 74      The district of Ledyard, consisting of the town of Ledyard.
- 75      The district of Lyme, consisting of the town of Lyme.
- 76      The district of Montville, consisting of the town of Montville.
- 77      The district of North Stonington, consisting of the town of North  
78 Stonington.
- 79      The district of Old Lyme, consisting of the town of Old Lyme.

80       The district of Salem, consisting of the town of Salem.

81       The district of Stonington, consisting of the town of Stonington.

82       (d) Fairfield County

83       The district of Bridgeport, consisting of the town of Bridgeport.

84       The district of Danbury, consisting of the town of Danbury.

85       The district of Bethel, consisting of the town of Bethel.

86       The district of Brookfield, consisting of the town of Brookfield.

87       The district of Darien, consisting of the town of Darien.

88       The district of Fairfield, consisting of the town of Fairfield.

89       The district of Greenwich, consisting of the town of Greenwich.

90       The district of New Canaan, consisting of the town of New Canaan.

91       The district of New Fairfield, consisting of the towns of New  
92 Fairfield and Sherman.

93       The district of Newtown, consisting of the town of Newtown.

94       The district of Norwalk, consisting of the towns of Norwalk and  
95 Wilton.

96       The district of Redding, consisting of the town of Redding.

97       The district of Ridgefield, consisting of the town of Ridgefield.

98       The district of Shelton, consisting of the town of Shelton.

99       The district of Stamford, consisting of the town of Stamford.

100       The district of Stratford, consisting of the town of Stratford.

101       The district of Trumbull, consisting of the towns of Trumbull,  
102 Easton and Monroe.

103       The district of Westport, consisting of the towns of Westport and  
104       Weston.

105       (e) Windham County

106       The district of Windham, consisting of the towns of Windham and  
107       Scotland.

108       The district of Ashford, consisting of the town of Ashford.

109       The district of Brooklyn, consisting of the town of Brooklyn.

110       The district of Eastford, consisting of the towns of Eastford and  
111       Chaplin.

112       The district of Hampton, consisting of the town of Hampton.

113       The district of Killingly, consisting of the town of Killingly.

114       The district of Plainfield, consisting of the towns of Plainfield,  
115       Canterbury and Sterling.

116       The district of Pomfret, consisting of the town of Pomfret.

117       The district of Putnam, consisting of the town of Putnam.

118       The district of Thompson, consisting of the town of Thompson.

119       The district of Woodstock, consisting of the town of Woodstock.

120       (f) Litchfield County

121       The district of Litchfield, consisting of the towns of Litchfield,  
122       Morris and Warren.

123       [The district of Canaan, consisting of the towns of Canaan and  
124       North Canaan.

125       The district of Cornwall, consisting of the town of Cornwall.]

126       The district of Harwinton, consisting of the town of Harwinton.

- 127       The district of Kent, consisting of the town of Kent.
- 128       The district of New Milford, consisting of the towns of New Milford  
129 and Bridgewater.
- 130       The district of Norfolk, consisting of the town of Norfolk.
- 131       The district of the Northwest Corner, consisting of the towns of  
132 Canaan, Cornwall, North Canaan, Salisbury and Sharon.
- 133       The district of Plymouth, consisting of the town of Plymouth.
- 134       The district of Roxbury, consisting of the town of Roxbury.
- 135       [The district of Salisbury, consisting of the town of Salisbury.
- 136       The district of Sharon, consisting of the town of Sharon.]
- 137       The district of Thomaston, consisting of the town of Thomaston.
- 138       The district of Torrington, consisting of the towns of Torrington and  
139 Goshen.
- 140       The district of Washington, consisting of the town of Washington.
- 141       The district of Winchester, consisting of the towns of Winchester  
142 and Colebrook.
- 143       The district of Woodbury, consisting of the towns of Woodbury,  
144 Bethlehem and Watertown.
- 145       (g) Middlesex County
- 146       The district of Middletown, consisting of the towns of Middletown,  
147 Cromwell, Durham and Middlefield.
- 148       The district of Clinton, consisting of the town of Clinton.
- 149       The district of Deep River, consisting of the town of Deep River.
- 150       The district of East Haddam, consisting of the town of East

151 Haddam.

152 The district of East Hampton, consisting of the town of East  
153 Hampton.

154 The district of Essex, consisting of the town of Essex.

155 The district of Haddam, consisting of the town of Haddam.

156 The district of Killingworth, consisting of the town of Killingworth.

157 The district of Old Saybrook, consisting of the town of Old  
158 Saybrook.

159 The district of Portland, consisting of the town of Portland.

160 The district of Saybrook, consisting of the town of Chester.

161 The district of Westbrook, consisting of the town of Westbrook.

162 (h) Tolland County

163 The district of Tolland, consisting of the towns of Tolland and  
164 Willington.

165 The district of Andover, consisting of the towns of Andover, Bolton  
166 and Columbia.

167 The district of Ellington, consisting of the towns of Ellington and  
168 Vernon.

169 The district of Hebron, consisting of the town of Hebron.

170 The district of Mansfield, consisting of the towns of Coventry and  
171 Mansfield.

172 The district of Stafford, consisting of the towns of Stafford, Somers  
173 and Union.

174 (i) Litchfield and Hartford Counties



175 The district of New Hartford, consisting of the towns of New  
176 Hartford, Barkhamsted and Hartland.

177 Sec. 2. (NEW) (*Effective from passage*) The towns of Canaan,  
178 Cornwall, North Canaan, Salisbury and Sharon shall, on and after the  
179 first Wednesday following the first Monday of January, 2007,  
180 constitute a probate district by the name of the probate district of the  
181 Northwest Corner. In 2006, and quadrennially thereafter, a judge of  
182 probate for said district shall be elected at the time and in the manner  
183 provided by law for the election of judges of probate. From and after  
184 the first Wednesday following the first Monday of January, 2007, the  
185 probate court for the district of the Northwest Corner shall have the  
186 jurisdiction of all probate business arising in the towns of Canaan,  
187 Cornwall, North Canaan, Salisbury and Sharon.

This act shall take effect as follows:	
Section 1	<i>January 3, 2007</i>
Sec. 2	<i>from passage</i>

**JUD**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Probate Court	PCAF - Savings	\$4,145 - \$10,364	\$4,145 - \$10,364
Probate Court	PCAF - Revenue Gain	\$15,000 - \$21,000	\$15,000 - \$21,000

Note: PCAF=Probate Court Administration Fund

#### **Municipal Impact:**

Municipalities	Effect	FY 05 \$	FY 06 \$
Canaan; Cornwall; North Canaan; Salisbury; Sharon	Savings	Minimal	Minimal

#### **Explanation**

The bill would result in savings to the Probate Court Administration Fund (PCAF). All probate court expenditures are paid for from the PCAF (non-General Fund). There are currently 125 individual probate courts in the state. The bill would reduce the number of courts and consequently, the cost associated with the operation and administration of these courts.

Last year, the probate courts located in Canaan, Cornwall, Salisbury and Sharon had combined gross receipts of about \$229,121 with staff expenses of \$41,457. Over 80% of the gross receipts paid for judges' salaries and the PCAF assessments.<sup>1</sup> The table below describes gross receipts and expenses for each court in the proposed consolidation.

Probate District	Gross Receipts	Expenses
Canaan	\$47,520	\$12,469
Cornwall	\$16,233	\$867

<sup>1</sup> Each probate court contributes a percentage of the probate court's annual income to the fund.

Salisbury	\$132,536	\$21,297
Sharon	\$32,832	\$6,824
Average Probate Court	\$192,000	

Probate judge salaries are determined by volume and since the volume of all these courts would be transferred to the Northwest Corner probate district, the corresponding judge salary would also. However, probate judge salaries are capped at \$93,750 and thus, the proposed consolidation could result in increased revenue for the PCAF of \$15,000 – 21,000. The consolidation would also result in a 10% - 25% reduction in expenses.

Finally, towns would also recoup the space and forego the expenses associated with maintaining and operating a probate district.<sup>2</sup> Most municipalities conduct probate business out of their respective town halls.

---

<sup>2</sup> Section 45a-8 of the Connecticut General Statutes requires the town or towns that comprise each probate districts to provide court facilities that meet certain minimum standards. According to the statute, “court facilities” include office space to conduct judicial business and proceedings; a separate room for court staff; appropriate furniture and furnishings, use and maintenance of copy machine, office supplies, and microfilming equipment; necessary stationery and postage; typing equipment and basic telephone service and adequate liability insurance for furnishings, equipment and court records.

---

**OLR Bill Analysis**

SB 231

***AN ACT ESTABLISHING THE NORTHWEST CORNER PROBATE DISTRICT*****SUMMARY:**

The bill eliminates the probate districts of (1) Canaan, consisting of the towns of Canaan and North Canaan, (2) Cornwall, consisting of the town of Cornwall, (3) Salisbury, consisting of the town of Salisbury, and (4) Sharon, consisting of the town of Sharon.

The bill establishes a new probate district of the Northwest Corner, consisting of all the towns from the probate districts the bill eliminates: Canaan, Cornwall, North Canaan, Salisbury, and Sharon.

The bill requires a judge to be elected for the newly created probate district in 2006 and every four years thereafter. Beginning January 3, 2007, the bill gives the probate court for the newly created district jurisdiction over all probate business arising in the towns comprising it.

**EFFECTIVE DATE:** Upon passage, except the provisions eliminating the current districts become effective January 3, 2007.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Report

Yea 40      Nay 0